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**OCT 26 2006**

**OFFICE OF PETITIONS**

In re Application of :  
Schaeck :  
Application No. 09/691,324 :  
Filed: October 18, 2000 :  
Attorney Docket No. DE9-1999-0044-US1 :  
For: TECHNIQUE FOR  
COMMUNICATION WITH MOBILE DATA  
PROCESSING DEVICES BY WAY OF  
MOBILE SOFTWARE AGENTS

**ON PETITION**

This is a decision on the petition under 37 CFR 1.137(b), filed May 18, 2006, to revive the above-identified application.

The petition is **dismissed**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." Petitioner is advised that this is not a final agency decision.

This application became abandoned for failure to timely submit corrected formal drawings within three (3) months of the mailing of the Notice of Allowability, mailed August 3, 2005. Accordingly, this application became abandoned on November 4, 2005. A Notice of Abandonment was mailed on April 6, 2006.

A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) the required reply, unless previously filed.;
- (2) the petition fee as set forth in 37 CFR 1.17(m);
- (3) a statement that the **entire** delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Director may

require additional information where there is a question whether the delay was unintentional; and

- (4) any terminal disclaimer (and fee set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(d).

The instant petition does not satisfy requirement (1) above.

The corrected drawings submitted on May 18, 2006 have been objected to by the Draftsperson. Enclosed, please find a completed Notice of Draftsperson's Patent Drawing Review.

Further correspondence with respect to this matter should be addressed as follows:

**By mail:** Mail Stop PETITION  
Commissioner for Patents  
Post Office Box 1450  
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**By hand:** U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Petition  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

**By FAX:** (571) 273-8300 – ATTN: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3230.



Shirene Willis Brantley  
Senior Petitions Attorney  
Office of Petitions

Enclosure: Notice of Draftsperson's Patent Drawing Review for drawings filed May 18, 2006 and October 18, 2000 in application no. 09/691,324